

SUBJECT: <b>Reserve Deputies</b>	NUMBER: 2-31.02
EFFECTIVE DATE:	REVIEW DATE:
NMMLEPSC STANDARDS: ADM.13.01	APPROVED: Sheriff

## **I. POLICY:**

This manual is intended to set forth rules and regulations for the conduct of members of the reserve division of the Valencia County Sheriff's Office. In the event of any conflict herein with the rules, regulations, policies, procedures, or laws covered by the Valencia County Sheriff's Office Standard Operating Procedures Manual, or by any county, state or federal law, and then the appropriate agency rule or appropriate law will apply.

Each reserve deputy will be issued a copy of the rules and regulations, and is required to study and be familiar with all rules and procedures as set forth in the Valencia County Sheriff's Office Standard Operating Procedures Manual.

## **II. PURPOSE**

To augment and assist the Valencia County Sheriff's Office with volunteers who have the qualifications and training required to assist sworn deputies and other sheriff's office personnel in the performance of their official duties, increase citizen involvement in law enforcement and lessen the burden of governmental authorities in their enforcement of the law.

## **III. ORGANIZATION**

- A. The reserve division is composed of persons who are appointed as "special deputies" by the Sheriff (4-41-10, NMSA 1978). The roster of the reserve division shall not exceed 20 active members.
- B. The reserve division is a function of the Valencia County Sheriff's Office and is subject to the normal agency chain of command.
- C. The reserve liaison is a sworn deputy, with the rank of sergeant or higher, appointed by the Sheriff to serve as liaison between the agency and the reserve division.
- D. The reserve division membership is divided into two levels, each having a separate function.

1. Probationary Reserves. New reserve deputies who are currently in a training status. They will remain in this status until they have completed 80 hours of classroom training.
2. Reserve deputies: Are those who have completed the prescribed training, reserve academy or who have transferred into the agency having completed an approved academy, and are undergoing field training.

#### **IV. APPLICANT REQUIREMENTS AND PROCEDURES**

- A. The application process and application package will be the same as for a regular deputy.
- B. Members of the sheriff's office reserve division must meet the same background requirements as for sworn deputies. Applicants must pass a background check and oral board; have no felony convictions; have no DWI convictions within the last 5 years; and have no domestic violence convictions. The applicant must be at least 21 years of age at the time of his/her acceptance into the reserve division.
- C. Transfers or "laterals" into the reserve division will be evaluated on a case-by-case basis by individuals who have appropriate prior documented experience and meet the minimum qualifications for the reserve division and are approved by the reserve liaison and forwarded through the chain of command for approval.
- D. Upon successful completion of all steps in the application process, the applicant's file will be submitted to the reserve liaison for review and approval. Approved applicants will then be forwarded through the chain of command for final approval by the Sheriff.

#### **V. TRAINING REQUIREMENTS**

- A. New reserve deputy trainees (probationary) are required to complete 80 hours of training prior to performing any ride alongs.
- B. Training will be approved by the reserve liaison. Completed training with the outline of subject matter taught will be turned into the professional standards office.
- C. Training will be conducted by a person(s) that are certified as a law enforcement instructor according to NMLEA, or are a subject matter expert in their field.
- D. Reserve deputies will complete the minimum biennium standards of training as required by NMLEA.

#### **VI. CERTIFICATION REQUIREMENTS**

- A. All reserve deputies will maintain a current CPR certificate.

- B. All firearms carried by reserve deputies will be in accordance with the agency's firearms policy.
- C. All reserve deputies will successfully complete a course of instruction in firearms orientation prior to their initial qualification on the range.
- D. All reserve deputies are required to qualify with their firearms as required by agency policy and the NMLEA. The agency's firearms policy will be adhered to for failing to qualify with a firearm.
- E. Reserve deputies may carry a back-up weapon, shotgun, or rifle. Those firearms must meet the agency's firearms policy. They reserve deputy must be able to show proficiency with the firearms, have completed a training class on the firearm, and meet the agency qualification standards for that firearm.
- F. A reserve deputy may carry an ASP baton only after successfully completing an authorized course of instruction in its use. It is the obligation of each deputy to successfully complete re-certification courses as provided by the agency and in accordance with agency policy.
- G. A reserve deputy will maintain all other certifications as required by the agency. All training will be requested with the appropriate paperwork and submitted through the chain of command.
- H. The reserve deputy uniform will be in accordance with the agency uniform policy for a sheriff's deputy.

## **VII. SERVICE REQUIREMENTS**

- A. Meetings:
  - 1. Reserve deputies are required to attend a minimum of nine (9) regularly scheduled monthly meetings per calendar year. The reserve liaison or the assigned supervisor must be notified by a reserve deputy of his or her intention to be absent from any such meetings no later than 24 hours prior to the scheduled meeting time. Failure to comply with this requirement may result in the deputy being considered absent from the meeting. Exemptions maybe granted by the Sheriff.
  - 2. Failure to attend the minimum meeting requirements as outlined above may result in the reserve deputy being terminated from the reserve division.
  - 3. The general membership of the reserve deputies will elect a treasurer from the membership who will handle the division funds.

B. Duty requirements:

1. Reserve deputies will serve a minimum of sixteen (16) hours per month. Exceptions to this requirement will be considered and may be approved by the reserve liaison.
- C. Specials: A "special" is defined as a public or private event, normally sponsored by a not-for-profit organization, for which the Sheriff has approved participation by the agency for purposes maintenance of peace, suppression of crime, control of public disorder, control of traffic, or for public relations.
- D. Time sheets: At the regularly scheduled reserve meeting reserve deputies will turn in their time sheet for the previous month. Reserve deputies that are unable to make the reserve meeting should submit their time sheet in advance of the meeting or make arrangements as required by their chain of command.

## **VIII. STATUS AND LIMITATIONS**

A. Reserve deputies will normally function as a regularly commissioned deputy, within the guidelines stated below.

1. Supervision: Reserve deputies will be directed by a full-time sworn deputy when on duty and will accompany a regular deputy unless otherwise directed by the on duty supervisor or others in the chain of command. During specials, in the absence of a regular deputy, radio contact with a regular deputy or on-duty supervisor will be considered direct supervision.
3. Limitations and restrictions: Reserve deputies **will not**:
  - a. Have full arrest powers
  - b. Issue traffic citations
  - c. Have authority when not on official assigned duty.

B. Reserve deputies **will not**:

1. Work in civilian clothes unless directed to do so by the Sheriff or other in the chain of command.
2. Use their own vehicles while on duty unless approved by the Sheriff or other in the chain of command.
3. Work stake-outs, except as eyes and ears, and then only as directed by the Sheriff.
4. Carry a handgun or other firearm in a concealed manner while in civilian clothing and identified as a reserve deputy. Nothing shall prevent the reserve deputy from carrying a weapon as a civilian in accordance with state law. Carrying a concealed weapon

under the guise of a sheriff's deputy will result in immediate termination from the reserve division, and could result in criminal prosecution.

- C. No reserve deputy will be considered "on duty" while in route to or from any agency function (shift, meeting, special, etc.). Reserve deputies may include their travel time to or from an event on their monthly time sheet. In the event a reserve deputy witnesses an emergency situation which would require immediate assistance and is not in uniform, the reserve deputy may take any appropriate action as a civilian. If the reserve deputy is in full uniform, he/she will immediately contact the on-duty supervisor and take whatever action is ordered. In either case, the reserve deputy will notify the on-duty supervisor of their involvement, and complete any required paperwork by the end of the shift in which the incident occurred.

## **IX. AGENCY IDENTIFICATION, BADGE, AND COMMISSION**

- A. Upon the successful completion of the application process and approval by the Sheriff the reserve deputy will be issued a Valencia County Sheriff's Office Reserve Deputy commission. This commission will become a part of the reserve deputy agency identification. The commission will be valid only when the reserve deputy is on official duty.
- B. Badge:
  - 1. When Issued: Upon the successful completion of the reserve training or acceptance as a transfer ("lateral"), the reserve deputy will be issued a reserve deputy's badge. This badge will be displayed by the deputy only while on official reserve division duty.
  - 2. Special duties: In the case of reserve deputies who are assigned to special duties the badge may be displayed on the belt or at the waist of the deputy while on official reserve division duty.
  - 3. The reserve deputy's badge may not be displayed in public at any time except as noted above. The displaying of the badge while not on official reserve division duty may result in termination from the reserve division.

## **X. SEPARATION FROM THE SERVICE**

- A. Members may permanently or temporarily separate from active involvement in the Reserve Division in the following ways:
  - 1. Any active reserve deputy may request a leave of absence from the reserve division by submitting a request in writing to reserve liaison. The written request must

include: length of requested leave, reason for request, starting date and proposed ending date. The reserve deputy will be advised in writing of the reserve liaison's decision to this request. The maximum length of leave will not be more than six months. If required, one six-month extension may be requested in writing.

2. Should the approved period of the leave of absence expire without the deputy making his/her future intentions known to the reserve liaison, the deputy may be subject to dismissal from the reserve division.
3. A resignation is voluntary separation from the reserve division by the reserve deputy. A letter of resignation addressed to the Sheriff and routed through the chain of command is required, stating the effective date and reason for the resignation.
4. A decision for dismissal from the reserve division may be made by the Sheriff for violation of agency standard operating procedures, the reserve division rules and regulations, or of county or state law. Such dismissal shall be documented by the reserve liaison.
5. Failure to maintain the minimum required hours of duty as set forth in these rules and regulations may be cause for dismissal. In such cases, the reserve deputy will first be advised by letter that he/she has failed to maintain the minimum required duty and/or activity hours and that he/she will be given three months to bring their duty hours up to the minimum requirements. If, at the conclusion of this period, the reserve deputy has failed to abide by the minimum duty requirements as outlined herein, a report will be prepared for the Sheriff, recommending dismissal.
6. Any reserve deputy who separates from the reserve division shall immediately return all county property to the designated individual. Failure to do so shall be considered a violation of the appropriate county ordinance or state statute, and may be prosecuted accordingly.
7. In all cases, the final decision for dismissal of any reserve deputy from the reserve division will be made by the Sheriff. No appeal process is available to any reserve deputy dismissed from the reserve division by the Sheriff.